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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 MAINZ BRADY GROUP, INC,

11 Plaintiff,

12 v.

13 SHANE SHOWN,

14 Defendant.

CASE NO. C17-670 MJP

MINUTE ORDER RE: RE-FILING
PLEADING AND MOTION

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16 The following minute order is made by the direction of the court, the Honorable Marsha
17 J. Pechman, United States District Judge:

18 On October 11, 2017, this Court entered an order which, among other things directed
19 Plaintiff to file an amended complaint within 14 days of the date of the order. (Dkt. No. 25 at 9.)
20 Plaintiff filed its amended complaint as directed. (Dkt. No. 26.) On January 30, 2018,
21 Defendant filed a document which purported to both answer Plaintiff's amended complaint and
22 move for dismissal of that complaint. (Dkt. No. 27.)
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1 While the Federal Rules of Civil Procedure do not outright prohibit this practice, the fact
2 that FRCP 7 has separate sections for “pleadings” (which include answers) and “motions and
3 other papers” (*see* FRCP 7(a) and (b)) might suggest that it is prudent to file them as separate
4 legal documents. At the very least, it makes for a muddled and confusing court record, and the
5 Court takes its role as keeper of a clean and comprehensible record seriously.

6 With that in mind, Defendant is ordered to re-file his answer to the amended complaint
7 and his motion to dismiss as separate documents under separate docket numbers. Briefing is
8 complete on the motion to dismiss and Defendant will be allowed to keep his noting date of
9 February 23, 2018 on that motion.¹ Furthermore, the answer to amended complaint may be filed
10 *nunc pro tunc*; i.e., the Court will continue to treat it as if it were filed on January 30, 2018.

11 Defendant is ordered to accomplish this re-filing within seven (7) days of the date of this
12 order.

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14 The clerk is ordered to provide copies of this order to all counsel.

15 Filed: February 26, 2018.

16 William M. McCool

17 Clerk of Court

18 s/Paula McNabb

19 Deputy Clerk

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23 ¹ However, the Court also notes that Defendant filed his reply brief as a motion in the Court’s electronic record (*see*
24 docket entry at Dkt. No. 31: “Motion to Dismiss Reply – Dkt 28”) and the Clerk of the Court is ordered to correct
that docket entry to reflect that Dkt. No. 31 is simply a reply brief to a motion to dismiss, not an original motion.